



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

5-1

*Promoting the wise use of land
Helping build great communities*

MEETING DATE July 14, 2005	CONTACT/PHONE Brian Pedrotti 788-2788	APPLICANT Avila Ventures, LLC	FILE NO. TRACT 2636 SUB2003-00205
SUBJECT Request by Avila Ventures, LLC for a Vesting Tentative Tract Map to subdivide an existing 38.15-acre parcel into seven parcels of 5.76, 5.20, 5.23, 5.05, 5.48, 5.46, and 5.98 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Guadalupe Road and Willow Road. The division will create one on-site road. The proposed project site is within the Residential Rural land use category, at the northeast corner of the Willow Road and Guadalupe Road intersection, approximately 800 feet northeast of Highway 1, west of the community of Nipomo, in the South County planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Tract 2636 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 9, 2005, for this project. Mitigation measures are proposed to address aesthetics, agricultural resources, air quality, biological resources, geology and soils, hazards/hazardous materials, noise, public services/utilities, recreation, transportation/circulation, wastewater, and water, and are included as conditions of approval.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 091-173-014	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Sec. 22.112.020 & 22.112.040 – South County Rural Area Standards - Areawide and Residential Rural Sec. 22.112.040.F.12 – Northeast corner Willow and Guadalupe roads. Biological/botanical surveys, noise survey, soil borings, agricultural buffers			
LAND USE ORDINANCE STANDARDS: Sec. 22.22.060– Residential Rural Subdivision Design			
EXISTING USES: Abandoned lemon orchard, water well			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Rural / Outdoor nursery and greenhouse South: Industrial; Residential Rural / Single-family residence		East: Residential Rural / Avocado orchard; cut flower greenhouse operation West: Residential Suburban / Single-family residences	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

5-2

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Council, Public Works, Environmental Health, Ag Commissioner, County Parks, CDF, Nipomo Community Services District, APCD, RWQCB	
TOPOGRAPHY: Nearly level	VEGETATION: Abandoned lemon orchard, grasses, forbs
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: November 9, 2004

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.060 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The standards are based on the distance from an urban areas, fire response time, type of access serving the property and the topography of the site. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 5 acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Remoteness	0 miles from the Callendar-Garrett Village Area	5 acres
Fire Hazard/ Response Time	Within the 15 minute response time In the high fire hazard area	5 acres
Access	Located on a 60 foot right-of-way	5 acres
Slope	Average slope is between 0 and 15%	5 acres

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

PLANNING AREA STANDARDS:

Section 22.12.020 Areawide Standards

Circulation Planning: Land divisions shall provide offers of dedication for public streets, bikeways and pathways. Gross acreage may be utilized to calculate the allowable number of parcels. Traffic noise mitigation required in the form of setbacks/open space, site layout,

earthen berms, or structural measures, in that order of priority. As conditioned, the project meets these standards. Guadalupe and Willow Roads will be dedicated to an A-1 road standard, which provides sufficient width for street and pathway improvements. The project includes building setbacks to mitigate for traffic noise.

Section 22.112.040 Rural Areawide Standards

Circulation: New land divisions shall provide for circulation linkages, combined driveways where feasible, and equestrian, pedestrian and bike paths. Road alignments shall be designed to minimize terrain disturbance, with erosion control measures. As proposed and conditioned, the project meets these standards. Guadalupe and Willow Roads will be dedicated to an A-1 road standard, which provides sufficient width for street and pathway improvements. Standard erosion control measures will be required with the SWPPP.

Section 22.112.040 Northeast corner Willow and Guadalupe roads

Street lighting, biological resources, botanical resources, noise, soil borings, agricultural buffers. As proposed and conditioned, the project meets these standards. Botanical and noise surveys were submitted, and monarch butterfly habitat was examined off-site. Agricultural buffers are included. Soil borings and a street lighting plan are required as conditions of approval.

ENVIRONMENTAL DETERMINATION:

Agricultural Resources

The proposed project is located in the Residential Rural land use category, and is dominated by an abandoned lemon orchard. Surrounding agricultural uses include greenhouses and avocado orchards to the east, an outdoor plant nursery to the north, vegetable and strawberry production to the southwest, and a tree farm to the southeast. The project was referred to the Agricultural Commissioner's Office, who recommended the establishment of agricultural buffers on the project site (refer to Exhibits B and C). In addition, the project will include a disclosure to potential future buyers of the surrounding agricultural operations.

COMMUNITY ADVISORY GROUP COMMENTS: The NCAC recommended approval of this project contingent on the plan showing seven 5-acre plus (net) lots, not restrictive to horse-keeping, not clustered, with a curved road, and improved equestrian trails.

AGENCY REVIEW:

Public Works – Recommend approval with stock conditions and road improvements.
Environmental Health - Preliminary evidence of water and ability to serve by septic. Well driller report, pump testing, and water quality test required prior to recordation of final map. Well setback on proposed parcel 5, all septic systems outside 200 foot setback of well.
Ag Commissioner – Less than significant impact with recommended mitigation measures.
County Parks – Require applicable Building Dept. and Quimby fees.
CDF - See attached fire safety plan dated March 22, 2005.
Nipomo Community Services District – Review water resources on Nipomo Mesa.

LEGAL LOT STATUS:

The one existing lot was created by a recorded map at a time when that was a legal method of creating lots.

54

FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 9, 2005, for this project. Mitigation measures are proposed to address aesthetics, agricultural resources, air quality, biological resources, geology and soils, hazards/hazardous materials, noise, public services/utilities, recreation, transportation/circulation, wastewater, and water, and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Rural land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single-family residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is of limited size and scope and is not located in close proximity to significant wildlife habitat.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

5-5

EXHIBIT B

CONDITIONS OF APPROVAL FOR TR 2636

Approved Project

1. Request by Avila Ventures, LLC for a Vesting Tentative Tract Map to subdivide an existing 38.15-acre parcel into seven parcels of 5.76, 5.20, 5.23, 5.05, 5.48, 5.46, and 5.98 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Guadalupe Road and Willow Road. The division will create one on-site road.

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:
 - a. New street constructed to an A-1 section within a 50 foot dedicated right-of-way.
 - b. Guadalupe and Willow Roads widened to complete an A-1 section fronting the property.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
 - a. A 20 foot radius property line return at the intersection of Guadalupe and Willow Roads.
 - b. The 50 foot road easement for the new on-site street terminating in a county cul-de-sac as shown on the tentative map.
4. The intersection of Guadalupe and Willow Road be designed in accordance with California Highway Design Manuals Section 405.7 and constructed on the project side of the two roads (additional right-of-way may be required).
5. Access be denied to lots 1,5, 6, and 7 from Guadalupe and Willow Roads except at new street and that this be by certificate and designation on the map.

Improvement Plans

6. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Grading and erosion control plan for subdivision related improvement locations.
 - d. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot. The street lighting plan shall be designed to minimize the

56

amount of light and glare visible to Willow Road through the use of recessed lights and down-shielding.

- e. Retention of existing pine trees adjacent to Willow Road.
- 7. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
- 8. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

- 9. **Prior to recordation of the final map**, the applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board. The Best Management Practices (BMPs) identified in the SWPPP shall be implemented during construction of tract and road improvements. The BEST Management Practices identified in the Stormwater Pollution Prevention Plan (SWPPP) shall be implemented during construction of individual lot development.
- 10. Submit complete drainage calculations to the Department of Public Works for review and approval.
- 11. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- 12. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

Wastewater Disposal

- 13. Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the

5-7

proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system.

Utilities

14. Electric and telephone lines shall be installed underground or overhead.
15. Cable T.V. conduits shall be installed in the street.
16. Gas lines shall be installed.

Design

17. The applicant shall apply to the Department of Planning and Building for approval of a new street name prior to the filing of the final parcel or tract map. The approved street name shall be shown on the final parcel or tract map.

Fire Protection

18. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
19. **Prior to final map recordation**, the project shall comply with the Fire Safety Plan from CDF dated March 22, 2005, including all access requirements.

Parks and Recreation (Quimby) Fees

20. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

21. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.
22. Prior to recordation of the final map, the applicant shall submit water well documentation for each proposed lot including a well completion report, well capacity (pump test) results, and full water quality testing not more than five years old. If a community water system is proposed instead of individual wells on each lot, the system shall be reviewed and approved by the Environmental Health Division, and shall meet testing and reporting requirements.

5-8

Additional Map Sheet

23. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
 - b. **Prior to issuance of grading and building permits for development on Lots 5, 6, and 7**, plans shall show that the existing pine trees adjacent to Willow Road shall be retained.
 - c. **Prior to issuance of building permits for individual lot development**, the applicant shall submit an exterior lighting plan demonstrating how all exterior lighting would be covered and shielded to minimize off-site glare.
 - d. **Prior to sale of each individual lot and/or residence**, the applicant shall provide each new landowner with a copy of the County Right-to-Farm Ordinance and notification regarding adjacent agricultural land uses. Notification shall include typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated orchards or commercial nurseries. This would include noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.
 - e. **Prior to issuance of building permits for development on the proposed parcels**, proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.
 - f. The applicant shall show the agricultural buffers described below and shown on Exhibit C onto the additional map sheet. Habitable structures shall not be permitted within the buffer areas.
 - i. 400 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the northeast.
 - ii. 300 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the southeast while retaining existing vegetation on the southeast portion of the project site.
 - iii. 300 feet from the edge of the expanded greenhouse operation to the east (240 feet from the eastern property boundary).
 - g. The applicant shall show a 150-foot noise buffer along the southern property boundary on the additional map sheet. Habitable structures and outdoor areas accessory to residential uses shall not be permitted within the noise buffer area.

5-9

- h. **Prior to recordation of the final map**, the applicant shall submit the results of soil borings and percolation testing at leach line location showing that there is adequate separation and percolation rates, or plans for an engineered wastewater system that shows how the basin plan criteria can be met.
- i. The applicant shall show a 200-foot buffer surrounding the existing public well on the project site. The construction of individual septic systems, leach fields, and associated improvements shall not be permitted within this 200-foot buffer zone.

Covenants, Conditions and Restrictions

- 24. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
 - a. Maintenance of all local streets within the subdivision until acceptance by a public agency.
 - b. **Prior to issuance of grading and building permits for development on Lots 5, 6, and 7**, plans shall show that the existing pine trees adjacent to Willow Road shall be retained.
 - c. **Prior to issuance of building permits for individual lot development**, the applicant shall submit an exterior lighting plan demonstrating how all exterior lighting would be covered and shielded to minimize off-site glare.
 - d. **Prior to sale of each individual lot and/or residence**, the applicant shall provide each new landowner with a copy of the County Right-to-Farm Ordinance and notification regarding adjacent agricultural land uses. Notification shall include typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated orchards or commercial nurseries. This would include noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.
 - e. **Prior to recordation of the final map**, the applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board. The Best Management Practices (BMPs) identified in the SWPPP shall be implemented during construction of tract and road improvements. The BEST Management Practices identified in the Stormwater Pollution Prevention Plan (SWPPP) shall be implemented during construction of individual lot development.
 - f. **Prior to issuance of building permits for development on the proposed parcels**, proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.
 - g. The applicant shall show the agricultural buffers described below and shown on Exhibit C onto the additional map sheet. Habitable structures shall not be permitted within the buffer areas.

5-10

- i. 400 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the northeast.
 - ii. 300 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the southeast while retaining existing vegetation on the southeast portion of the project site.
 - iii. 300 feet from the edge of the expanded greenhouse operation to the east (240 feet from the eastern property boundary).
- h. The applicant shall show a 150-foot noise buffer along the southern property boundary on the additional map sheet. Habitable structures and outdoor areas accessory to residential uses shall not be permitted within the noise buffer area.
- i. **Prior to recordation of the final map**, the applicant shall submit the results of soil borings and percolation testing at leach line location showing that there is adequate separation and percolation rates, or plans for an engineered wastewater system that shows how the basin plan criteria can be met.
- j. The applicant shall show a 200-foot buffer surrounding the existing public well on the project site. The construction of individual septic systems, leach fields, and associated improvements shall not be permitted within this 200-foot buffer zone.

Miscellaneous

25. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
26. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

5-11

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING INDIVIDUAL WELLS AND SEPTIC TANKS

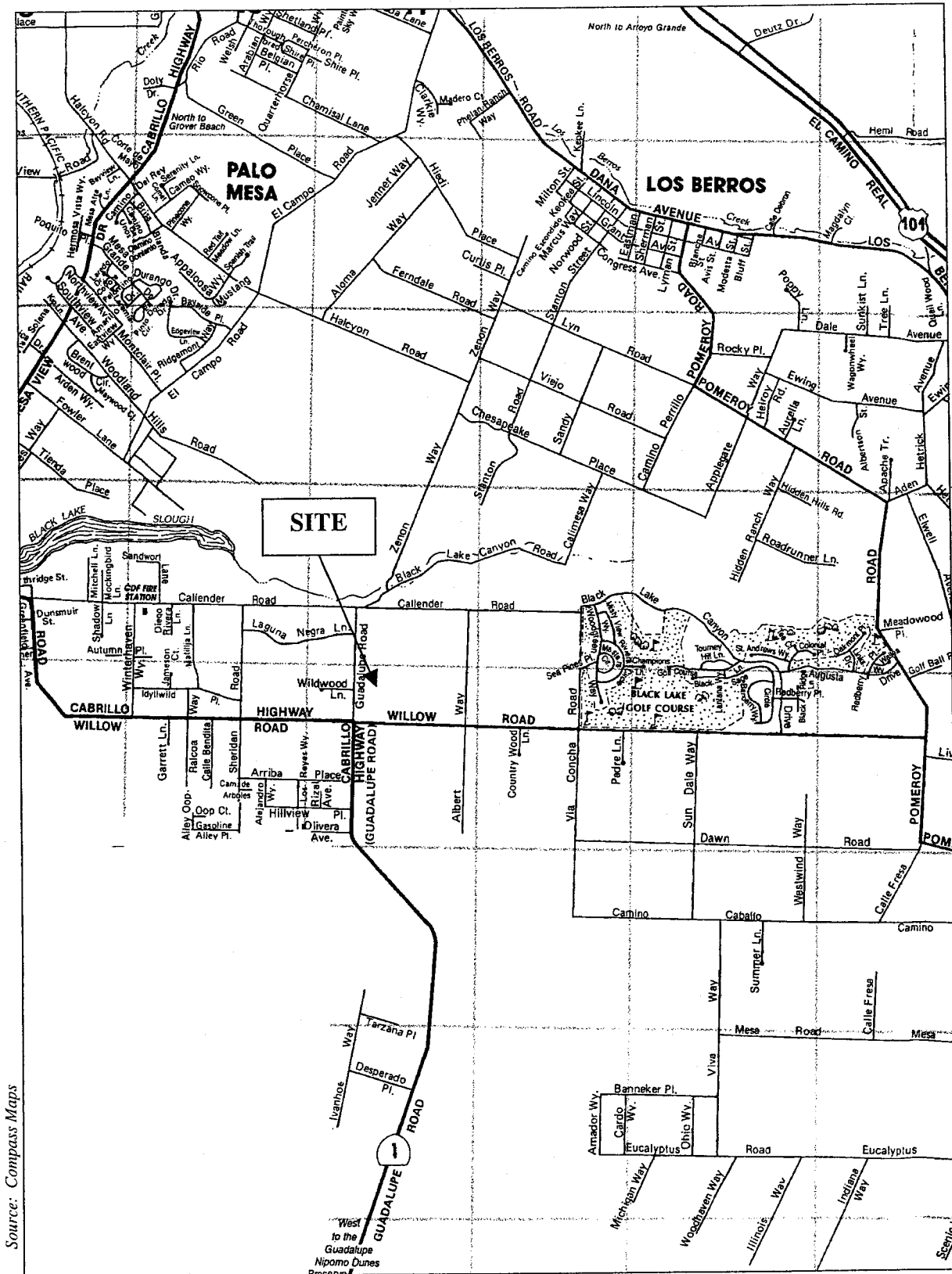
1. Each parcel shall have its own private well(s) for a domestic water supply approved by the county Health Department, except as set forth in 2C.
2. Operable water facilities shall exist prior to the filing of the final parcel map. Evidence of adequate and potable water, shall be submitted to the county Health Department, including the following:
 - A. (Potability) A complete on-site chemical analysis shall be submitted for evaluation for each of the parcels created or as required.
 - B. (Adequacy) On individual parcel wells or test holes, a minimum four (4) hour pump test performed by a licensed and bonded well driller or pump testing business shall be submitted for review and approval for each of the new parcels created.
 - C. If the applicant desires purveying water to two (2) or more parcels or an average of 25 or more residents or non-residents (employees, campers, etc.) on a daily basis at least sixty (60) days out of the year, application shall be made to the county Health Department for a domestic water supply permit prior to the filing of the final map. A bond may be used for operable water facilities (except well(s)). Necessary legal agreements, restrictions and registered civil engineer designed plans, in conformance with state and county laws and standards shall be submitted by the applicant and reviewed and approved by County Public Works and the county Health Department, prior to the filing of the final map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.
6. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning Department for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions

5-12

including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.

7. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
8. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
9. Any existing reservoir or drainage swale on the property shall be delineated on the map.
10. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
11. Required public utility easements shall be shown on the map.
12. Approved street names shall be shown on the map.
13. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
14. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
15. Any private easements on the property shall be shown on the map with recording data.
16. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
17. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
18. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
19. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

5-13



Source: Compass Maps



NORTH

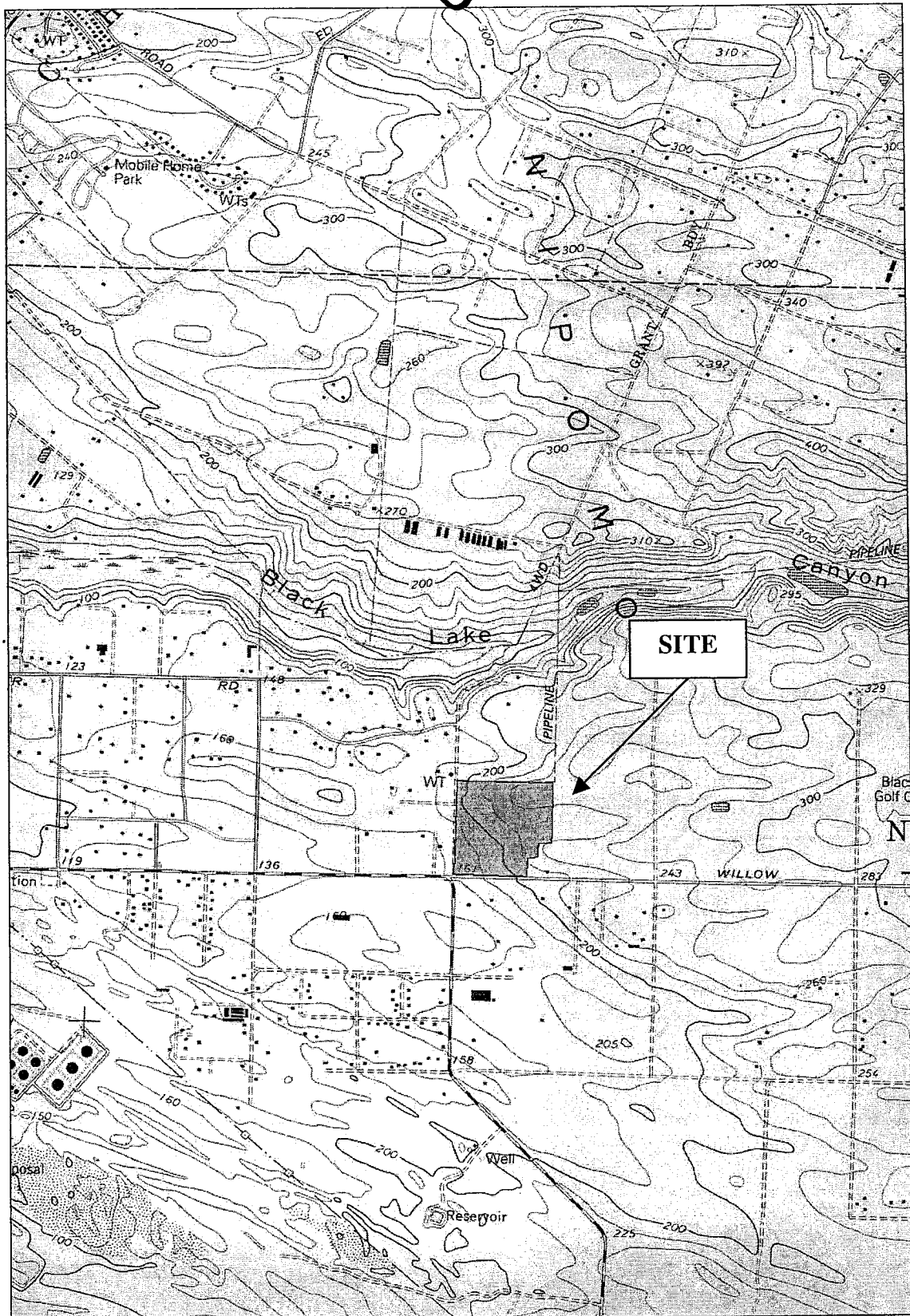
Not to Scale

Morro Group, Inc.

VICINITY MAP
FIGURE 1

5.14

Source: USGS Quadrangle



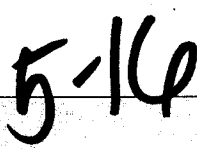
NORTH
Not to Scale

USGS LOCATION MAP
FIGURE 2



LAND USE CATEGORY MAP
FIGURE 3

Source: County of San Luis Obispo



VESTING TENTATIVE TRACT MAP
FIGURE 4

Source: WRD Engineering

5-17



Source: County of San Luis Obispo



NORTH
Not to Scale

Morro Group, Inc.

EXHIBIT C

Notice of Completion & Environmental Document Transmittal

US mailing: State Clearinghouse, 1400 Tenth St., Sacramento, CA 95814 (916)445-0613
U.S. Postal mailing: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 SCH#

SCH#

Project Title: Avila Ventures L.L.C. Tract Map ED 04-076

Lead Agency: County of San Luis Obispo
Street Address: County Government Center, Rm 310
City: San Luis Obispo Zip: 93408-2040

Contact Person: Brian Pedrotti
Telephone: 805/781-5600
County: San Luis Obispo

5-18

Project Location

County: San Luis Obispo City/Nearest Community: village of Callendar-Garrett
Cross Streets: Willow Road & Guadalupe Zip Code: 93420 Total Acres: 38.15 acres
Assessor's Parcel Number: 091-173-014 Section: NA Twp: NA Range: NA Base: NA
Within 2 miles: State Hwy. #: 1 Waterways: NA Airports: NA
Railways: NA Schools: Lucia Mar Unified School District.

Document Type

CEQA: ☐ NOP ☐ Supplement/Subsequent NEPA: ☐ NOI Other: ☐ Joint Document
☐ Early Cons EIR (Prior SCH No.) ☐ EA ☐ Final Document
☒ Neg Dec ☐ Other ☐ Draft EIS ☐ Other
☐ Draft EIR ☐ FONSI

Local Action Type

☐ General Plan Update ☐ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☒ Land Division (Subdivision, etc.) ☐ Other

Development Type

☒ Residential: Units 7 Acres 38.15 ☐ Water Facilities Type: NA MGD: NA
☐ Office: Sq.ft. NA Acres NA Employees NA ☐ Transportation: Type: NA
☐ Commercial: Sq.ft. NA Acres NA Employees NA ☐ Mining: Mineral: NA
☐ Industrial: Sq.ft. NA Acres NA Employees NA ☐ Power: Type: NA Watts: NA
☐ Educational: NA ☐ Waste Treatment: Type: NA
☐ Recreational: NA ☐ Hazardous Waste: Type: NA
☐ Other: NA ☐ OCS-related: Type: NA

Funding (approx.): NA Federal \$ NA State \$ NA Total \$ NA

Project Issues Discussed in Document

☒ Aesthetic/Visual ☐ Flood Plain/Flooding ☐ Schools/Universities ☒ Water Quality
☒ Agricultural Land ☒ Forest Land/Fire Hazard ☒ Septic Systems ☒ Water supply/groundwater
☒ Air Quality ☒ Geologic/Seismic ☐ Sewer Capacity ☐ Wetland/Riparian
☐ Archeological/Historical ☐ Minerals ☐ Soil erosion/compaction/grading ☐ Wildlife
☐ Coastal Zone ☒ Noise ☐ Solid Waste ☐ Growth Inducing
☐ Drainage/Absorption ☐ Population/Housing Balance ☐ Toxic/Hazardous ☐ Land Use
☐ Economic/Jobs ☒ Public Services/Facilities ☒ Traffic/Circulation ☒ Cumulative Effects
☐ Fiscal ☒ Recreation/Parks ☐ Vegetation ☐ Other

Present Land Use/Zoning/General Plan Designations: Residential Rural /

Project Description: Request by Avila Ventures, LLC for a Vesting Tentative Tract Map to subdivide an existing 38.15-acre parcel into seven parcels of 5.76, 5.20, 5.23, 5.05, 5.48, 5.46, and 5.98 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Guadalupe Road and Willow Road. The division will create one on-site road. The proposed project site is within the Residential Rural land use category, at the northeast corner of the Willow Road and Guadalupe Road intersection, approximately 800 feet northeast of Highway 1, west of the community of Nipomo, in the South County planning area.

Reviewing Agencies Checklist

5-19

KEY

S = Document sent by lead agency

X = Document sent by SCH

SD = Suggested distribution

☐ Resources Agency (CD)
☐ Boating & Waterways
☐ Coastal Commission
☐ Coastal Conservancy
☐ Colorado River Board
☐ Conservation (CD)
☐ Fish & Game
☐ Forestry & Fire Protection
☐ Office of Historic Preservation
☐ Parks & Recreation (CD)
☐ Reclamation Board
☐ S.F. Bay Conservation & Development Commission
☐ Water Resources (DWR)

Business, Transportation & Housing

☐ Aeronautics (CD)
☐ California Highway Patrol
☐ CALTRANS District #5 (CD)
☐ Department of Transportation Planning(headquarters) (CD)
☐ Housing & Community Development (CD)
☐ Food & Agriculture (CD)

Health & Welfare

☐ Health Services _____

State & Consumer Services

☐ General Services
☐ OLA (Schools) (CD)

Environmental Protection Agency

☐ Air Resources Board (CD)
☐ California Waste Management Board
☐ SWRCB: Clean Water Grants
☐ SWRCB: Delta Unit
☒ SD SWRCB: Water Quality
☐ SWRCB: Water Rights
☒ SD Regional WQCB# _____ (Central Coast Region)

Youth & Adult Corrections

☐ Corrections

Independent Commissions & Offices

☐ Energy Commission
☐ Native American Heritage Commission

Public Utilities Commission

☐ Santa Monica Mountains Conservancy
☐ State Lands Commission
☐ Tahoe Regional Planning Agency
☐ OTHER _____

Public Review Period (to be filled in by lead agency)

Starting Date 06/14/05

Ending Date 07/14/05

Signature _____

Date _____

Lead Agency (Complete if applicable): County of San Luis Obispo

Consulting Firm: _____

Firm's Address: _____

City/State/Zip: _____

Contact: _____

Phone: _____

Applicant: _____

Address: _____

City/State/Zip: _____

Phone: _____

For SCH Use Only:

Date Received at SCH _____

Date Review Starts _____

Date to Agencies _____

Date to SCH _____

Clearance Date _____

Notes:



5.20

FOR OFFICIAL USE ONLY (bp)

COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED04-076

DATE: June 9, 2005

PROJECT/ENTITLEMENT: Avila Ventures, LLC Tract Map SUB2003-00205 TR2636

APPLICANT NAME: Avila Ventures, LLC

ADDRESS: 201 Station Way Arroyo Grande, CA 93420

CONTACT PERSON: Robert Anderson

Telephone: (805) 481-1884

PROPOSED USES/INTENT: Request by Avila Ventures, LLC to allow for a 1) subdivision of an approximate 38.15-acre parcel into seven parcels ranging between 5.05 and 5.98 acres each for the purpose of sale and/or development, and 2) off-site road improvements to Guadalupe Road and Willow Road, and one on-site road, which will result in the disturbance of approximately 4.5 acres.

LOCATION: The proposed project is within the Residential Rural land use category, at the northeast corner of the Willow Road and Guadalupe Road intersection, approximately 800 feet northeast of Highway 1, west of the community of Nipomo, in the South County planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: Regional Water Quality Control Board
, Environmental Health

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT5 p.m. on June 23, 2005

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ Lead Agency
☐ Responsible Agency approved/denied the above described project on _____, and has
made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

5.21

California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding

PROJECT TITLE & NUMBER: Avila Ventures Tract Map, SUB2003-00205/ TR2636;
ED04-076

Project Applicant

Name: Avila Ventures, LLC- Robert Anderson
Address: 201 Station Way
City, State, Zip Code: Arroyo Grande, Ca, 93420
Telephone #: 805-481-1884

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- ☐ () The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- ☒ (X) The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- ☐ () The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- ☐ () The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. _____ .
- ☐ () Other: _____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: _____



5.22

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Avila Ventures Tract Map; SUB2003-00205 TR2636 ED04-076

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Brian Redotti
Prepared by (Print)

B.D. Redotti
Signature

6/9/05
Date

Steven McMasters
Reviewed by (Print)

Ellen Carroll
Signature

Ellen Carroll,
Environmental Coordinator
(for)

6/9/05
Date

5-23

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Avila Ventures, LLC for a Vesting Tentative Tract Map to subdivide an existing 38.15-acre parcel into seven parcels of 5.76, 5.20, 5.23, 5.05, 5.48, 5.46, and 5.98 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Guadalupe Road and Willow Road. The division will create one on-site road. The proposed project site is within the Residential Rural land use category, at the northeast corner of the Willow Road and Guadalupe Road intersection, approximately 800 feet northeast of Highway 1, west of the community of Nipomo, in the South County planning area.

ASSESSOR PARCEL NUMBER: 091-173-014

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: South County

LAND USE CATEGORY: Residential Rural

COMBINING DESIGNATION(S): None applicable

EXISTING USES: Abandoned lemon orchard, water well

TOPOGRAPHY: Nearly level

VEGETATION: Abandoned lemon orchard, grasses, forbs

PARCEL SIZE: 38.14 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Rural / Outdoor nursery and greenhouse	<i>East:</i> Residential Rural / Avocado orchard; cut flower greenhouse operation
<i>South:</i> Industrial; Residential Rural / Single family residence	<i>West:</i> Residential Suburban / Single-family residences

5-24

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting which may affect surrounding areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is a 38.14-acre parcel located in the northeast corner of the Guadalupe Road and Willow Road intersection, as shown in Figures 1 through 3. Highway 1 curves northwest/southeast approximately 800 feet southwest of the parcel. The project parcel is characterized by nearly level to gently sloping topography supporting an abandoned lemon orchard, grasses, and forbs. A well site and associated structure is located on the parcel. A row of pine trees is located along the southern property boundary adjacent to Willow Road, and the canopies of the trees overlap, blocking views of the project site as seen from the westbound travel lane of Willow Road. Guadalupe Road is located along the western boundary of the parcel. Single-family residences and a row of eucalyptus trees are located on the west side of Guadalupe Road. Undeveloped eucalyptus groves and an outdoor nursery and greenhouse operation are located to the north, and an avocado orchard is located to the east. A line of eucalyptus trees is present along the southern Willow Road right-of-way, and along Guadalupe Road south of Willow Road.

Impact. The applicant is proposes to subdivide the parcel into seven parcels ranging in size from 5.05 to 5.98 acres. Each lot would potentially support one primary residence, one secondary residence, and accessory agricultural uses. Implementation of the project would require the widening and improvements to Guadalupe Road and Willow Road. Additional associated improvements would include the construction of one on-site road and installation of utility lines. The applicant is not proposing street lighting, however, future residences would likely include the installation of exterior lighting.

The rows of eucalyptus trees along Willow Road and Guadalupe Road block a majority of views from both travel lanes on Highway 1 and Willow Road. Future residential development including residences and street lighting would be visible from the southbound travel lane of Highway 1 and

5.25

eastbound travel lane of Willow Road for approximately two to three seconds. If the row of pine trees were removed on the project site, the duration of project site visibility would increase to approximately three to five seconds as seen from Highway 1, and the project site would be visible along the entire stretch of Willow Road as seen from both east and westbound travel lanes. The project site is located at approximately the same elevation as Highway 1 and Willow Road, and future development would be back-dropped by gently sloping topography to the north and eucalyptus trees to the north, east and west. Due to the limited visibility of existing residential neighborhoods and the dominance of agricultural uses within this stretch of Willow Road, implementation of the proposed project would modify the existing visual character of the project area, potentially resulting in a significant impact. In addition, development of a residential area may generate additional light and glare on a parcel currently devoid of lighting.

Mitigation/Conclusion. Pursuant to Section 22.112.040.G.1.e (South County Rural Area Standards, Residential Rural Areawide Standards), the applicant is required to retain and incorporate existing vegetation as much as feasible into the subdivision design. To ensure that a vegetative buffer remain in this location to preserve the rural character of the area, the applicant has agreed to retain row of existing pine trees adjacent to Willow Road. To mitigate for the generation of light and glare resulting from future development, all exterior lighting associated with future residences and structures shall be shielded pursuant to Section 22.10.060 of the County Land Use Ordinance. Implementation of these measures would mitigate visual impacts to a level of insignificance.

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project is located within the Residential Rural land use category. The soil type mapped for the project site is Oceano sand (Class VI non-irrigated, and Class IV irrigated). Currently the site is dominated by an abandoned lemon orchard with an underlying irrigation system. Surrounding agricultural uses include greenhouses and avocado orchards to the east, an outdoor plant nursery to the north, vegetable and strawberry production to the southwest, and a tree farm to the southeast.

Impact. Implementation of the proposed subdivision would result in the creation of seven new parcels. In addition to one primary single family residence and one secondary residence per parcel, additional allowable accessory agricultural uses would include crop production and grazing, and special agricultural uses include agricultural accessory structures, agricultural processing, animal raising and keeping, farm equipment and supplies, nurseries, and specialized animal facilities.

The proposed project was referred to the Agricultural Commissioner's Office for review. The Agricultural Commissioner's Office stated that implementation of the proposed project would potentially impact existing agricultural operations by trespass, theft of product, damage to equipment,

5-26

and complaints regarding dust, odors, noise, and legal pesticide use (Michael Isensee; August 3, 2004).

Mitigation/Conclusion. To mitigate for incompatibility issues between existing agricultural uses and future residential development, the Agricultural Commissioner's Office recommends the establishment of agricultural buffers on the project site (refer to Exhibits B and C). Habitable structures shall not be permitted within the buffer zone. To minimize the potential for future complaints, the applicant has agreed to provide future landowners with a copy of the County Right-to-Farm Ordinance and information regarding adjacent existing land uses. Implementation of these measures would mitigate potential agricultural impacts to less than significant.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Air Quality. In 1989, the State Air Resources Board (ARB) designated San Luis Obispo County a non-attainment area for exceeding the State's air quality standards set for ozone and dust (small particulate matter or PM10). In 2003, the State ARB determined that the county was in attainment for ozone. The project site is located within the South Central Coast Air Basin and is nearest to the Nipomo Ralco Way Air Quality Monitoring Station. Based on the latest air monitoring station information (per the County's RMS annual report, 2003), the trend in air quality in the general area is improving.

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

Objectionable Odors. The proposed project site is located adjacent to existing agricultural operations including an avocado orchard and a greenhouse nursery. These farming operations periodically generate objectionable odors due to fertilizers and use of agricultural equipment.

5-27

Based on the proposed project location and implementation of the proposed mitigation measures relating to air quality, impacts will be reduced to less than significant levels.

4. BIOLOGICAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species or their habitats?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Special-status Wildlife Species. The proposed project site is located within the range of monarch butterfly (*Danaus plexippus*) over-wintering habitat. A forest of eucalyptus trees located north of the parcel potentially provides monarch over-wintering habitat.

Special-status Plant Species. The proposed project site is located within the vicinity of documented sensitive plant species including: crisp monardella (*Monardella crisper*), dune larkspur (*Delphinium parryi* ssp. *blochmaniae*), Kellogg's horkelia (*Horkelia cuneata* ssp. *sericea*), Nipomo Mesa lupine (*Lupinus nipomensis*), sand mesa manzanita (*Arctostaphylos rudis*), and San Luis Obispo monardella (*Monardella frutescens*). These species are documented by the California Natural Diversity Database as occurring within one mile of the project site. No mature coast live oak (*Quercus agrifolia*) individuals were observed onsite.

Crisp Monardella

Crisp monardella is a California Native Plant Society (CNPS) List 1B (rare, threatened, or endangered in California and elsewhere) rhizomatous herb. This species occurs within coastal dunes and coastal scrub habitat types. The elevation range for this species is 10 to 120 meters, and the blooming period is April through August.

Dune Larkspur

Dune larkspur is a CNPS List 1B perennial herb. This species occurs within chaparral and coastal dune habitat types. The elevation range for this species is 0 to 200 meters, and the blooming period is April through May.

Kellogg's Horkelia

Kellogg's horkelia is a CNPS List 1B perennial herb. This species occurs within closed-cone coniferous forest, maritime chaparral, and coastal scrub habitat types. The elevation range for this species is 10 to 200 meters, and the blooming period is April through September.

5-28

Mitigation/Conclusion. Based on the findings of the Phase I surface survey report and lack of conditions indicative of significant cultural resources findings, it is unlikely that cultural resources would be impacted by future development of the project site.

6. GEOLOGY AND SOILS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Change rates of soil absorption, or amount or direction of surface runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Include structures located on expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Involve activities within the 100-year flood zone?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Preclude the future extraction of valuable mineral resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Geology. The topography of the project site is nearly level to gently sloping. The entire parcel is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate. No active faulting is known to exist on or near the subject property. The project is not potentially within a known area containing serpentine rock. There is no evidence that measures above what will already be required by ordinance or code are needed.

5.29

The applicant proposes to install individual wells and fire suppression water storage tanks on each lot. CDF recommends a community water system because the system would be more reliable than individual wells and water storage tanks, and is pressurized with an unlimited water supply, as opposed to a draft system, which would require fire engines to draft and require more time and personnel (Gilbert Portillo; March 22, 2005). In addition, future development is required to meet the standards listed in the 2001 California Fire Code, 2001 Building Code, Public Resources Code, and all other applicable fire requirements. These requirements will be site specific, and include specifications for the minimum volume of water storage, adequate hydrant placement, driveway and road standards, emergency vehicle access, premise identification, fire protection systems, and vegetation clearance. Based on discussions with CDF, the individual water system would be adequate for fire suppression, and implementation of the project as proposed would not result in a significant, adverse fire impact; however the community water system is preferred (Rob Lewin; March 21, 2005).

Mitigation/Conclusion. Implementation of required fire safety regulations would mitigate fire hazard impacts to a level of insignificance. No additional mitigation measures are required.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels which exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Noise Exposure. The proposed project site is located adjacent to Willow Road, and approximately 800 feet northeast of Highway 1, which currently generate noise in the area. The topography between the project site and these roads is nearly level to gently sloping. According to the *County Noise Element*, approximately 3.5 acres of the project parcel is located within the 60 Ldn noise level contour, including approximately 1.3 acres within the 65 Ldn noise level contour (County of San Luis Obispo; May 1992).

The applicant submitted a noise report prepared by Morro Group, Inc. on October 20, 2004. Based on the noise measurements documented in the noise study, the existing 65 average decibel (dBA) noise contour is located approximately 20 feet north of Willow Road, and the 60 dBA noise contour is located approximately 60 feet north of Willow Road. Based on calculated future noise levels, the 65 dBA noise contour would be 60 feet north of Willow Road, and the 60 dBA noise contour would be 150 feet from Willow Road (Morro Group, Inc.; October 20, 2004). According to the *Noise Element*, 60 to 65 Ldn exterior and 45 dB interior noise level exposure to residential land uses is "conditionally acceptable". Noise level exposure exceeding 65 Ldn is considered "unacceptable".

Noise Generation. Implementation of the proposed project would potentially result in seven primary and seven secondary residences and approximately 108 daily traffic trips. Generation of these trips would contribute to the cumulative generation of transportation-related noise in the South County area. Generation of these trips would not result in a significant level of transportation-related noise.

6-30

10. PUBLIC SERVICES/UTILITIES

- Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is served by the County Sheriff's Department and California Department of Forestry (CDF)/County Fire as the primary responders. The closest Sheriff sub-station is located in the community of Oceano, approximately 5.75 miles from the project site. The closest CDF station is the Mesa station, approximately 1.25 miles from the project site. The project site is located within the Lucia Mar Unified School District.

Impact. This proposed project, along with numerous others in the area would have a cumulative effect on police and fire protection and schools.

Mitigation/Conclusion. Public facility and school fee programs have been adopted to address this impact and would reduce the cumulative impact to a level of insignificance. No significant project-specific impacts to utilities or public services were identified, and no additional mitigation measures are recommended.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The County Trails Plan shows a proposal for the Nipomo Park to Brushpoppers Arena trail along Willow Road and Guadalupe Road towards Black Lake Canyon. The proposed project was referred to the County Parks Division for review. Based, on the Parks Division's review of the project, a trail corridor or easement is not required, however the proposed project would contribute to the cumulative demand for recreational resources in the area (Jan DiLeo; July 7, 2004 and August 19, 2004).

Mitigation/Conclusion. The project is not proposed in a location that will affect any trail, park or other recreational resource, and would not create a project-specific significant need for additional park or recreational resources. To mitigate for the cumulative impact on County-wide recreational resources and facilities, prior to final map recordation, County ordinance requires the payment of a fee for the

5-31

The proposed project would not result in significant project-specific impacts, but would contribute to the cumulative increase of traffic within South County. To mitigate for cumulative impacts, the applicant is required to contribute funds to the South County Road Improvement Fee Program (James Kilmer, personal communications; February 6, 2003).

Mitigation/Conclusion. Based on the proposed project location, existing and projected acceptable level of service and capacity of local roads, and the referral responses from the Department of Public Works and Caltrans, improvements to Guadalupe Road and Willow Road are necessary to mitigate for anticipated traffic impacts resulting from future residential development of the project site. Implementation of road improvements and payment of Road Impact Fees would mitigate traffic and circulation impacts to a level of insignificance.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The applicant proposes to install individual septic systems and leach fields on each proposed lot. Based on the Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type is Oceano sand. For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the soil's ability to percolate or "filter" effluent, the soil's depth and the slope on which the system is placed. To assure a successful system that meets the Central Coast Basin Plan, additional analysis or engineering is needed when one or more factors exist: the ability of the soil to "filter" effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has "poor filtering" characteristics) or is too slow (slower or more than 120 minutes per inch); the topography on which a system is placed is steep enough to potentially allow "daylighting" of effluent downslope; or the separation between the bottom of the leach line to bedrock or high groundwater is less than five feet. Based on the NRCS Soil Survey, the main limitation(s) of this soil for wastewater effluent consists of poor filtering.

Poor Filtering. Poor filtering is a characteristic of very permeable soil. Without special engineering, a standard leach field will require larger separations between the leach lines and the groundwater basin to provide adequate filtering.

The proposed project was referred to the County Environmental Health Division for review. The Division acknowledged that individual wastewater disposal systems are an acceptable method of disposal, however addition information needs to be shown on the final map prior to map recordation (Laurie Salo; October 7, 2004). The applicant is required to show that future wastewater systems would be located a minimum of 200 feet from the existing well located on proposed parcel 5.

Mitigation/Conclusion. In addition to compliance with the Central Coast Basin Plan, due to limited availability of information relating to the poor filtering soil characteristic, additional information will be

5-32

water required for landscaping, which would be an additional unknown amount. Approximately 90% of landscape water is typically lost through evapo-transpiration, with about 10 % recharged back into the groundwater table. Based on the location of existing drainages and creeks in the region, there is sufficient evidence of available water sources in the area. Annual use of 5.76 acre-feet by the proposed project would not significantly reduce available water supply in the region.

The project will be using water extracted from the Santa Maria groundwater basin, which is made up of three interconnected sub areas (Tri-Cities, Nipomo Mesa, Santa Maria). Based on the most recent comprehensive study completed for this basin (State Department of Water Resources, "Water Resources of the Arroyo Grande-Nipomo Mesa Area", 2002), while extractions will increase above current levels over the next twenty years, the study concludes that "Supplies appear adequate to meet water demands through water year 2020". However, the study recognizes that there is a sizeable local pumping depression on the Nipomo Mesa that has changed the dynamics of flow between two sub areas (Santa Maria, Nipomo Mesa). The study warns that seawater intrusion could result from this existing pumping depression if water management practices are not changed in the future and this depression continues to grow. Also, due mainly to the absence of current evidence of seawater intrusion, DWR concludes that the basin is not in a state of overdraft. The report does recommend a number of measures to improve monitoring of the basin as well as increase the use of recycled water. On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 for water supply in the Nipomo Mesa area, defined as the area subject to the 2.3% growth limit, as depicted in the Growth Management Ordinance. Effective immediately, the County Flood Control and Water Conservation District will implement improved well-monitoring and water quality monitoring programs for this area. Implementation of the proposed project would not result in project-specific impacts to the water supply, but would contribute to the cumulative demand for resources.

Mitigation/Conclusion.

Surface Water. In addition to standard drainage and erosion control measures required by County Ordinance (refer to Section 6), the applicant is required to submit a Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board for disturbance of over one acre. Implementation of these measures would mitigate potential indirect impacts to surface water to less than significant.

Water Usage. The applicant would be required to submit comprehensive water data including all water well logs, pump tests, and complete water analysis for all wells prior to final map recordation (for either an individual well system or community water system). An exhibit showing all well locations, septic systems, and easements would also be required. The applicant has agreed to submit all required water and soil boring data to the County Division of Environmental Health prior to final map recordation. In addition, construction plans for development on the proposed parcels must include indoor and outdoor water conservation measures. Indoor water conservation measures would include: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Outdoor conservation measures include: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems. Based on implementation of these measures, impacts to water resources would be less than significant.

5-33

- b) **Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)**
- ☐ ☒ ☐ ☐
- c) **Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**
- ☐ ☐ ☒ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

5.34

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

C.A. Singer and Associates. May 17, 2003. *Cultural Resources Survey and Impact Assessment*.

McLeod, Malcolm. May 17, 2003. *Botanical Survey*.

Morro Group, Inc. October 20, 2004. *Short Noise Report for the Anderson GPA (G020008M), Nipomo, California*.

5.35

WW-2 Prior to recordation of the final map, the applicant shall incorporate a 200-foot buffer surrounding the existing public well on the project site. The construction of individual septic systems, leach fields, and associated improvements shall not be permitted within this 200-foot buffer zone.

Water

- W-1 Prior to recordation of the final map, the applicant shall submit water well documentation for each proposed lot including a well completion report, well capacity (pump test) results, and full water quality testing not more than five years old. If a community water system is proposed instead of individual wells on each lot, the system shall be reviewed and approved by the Environmental Health Division, and shall meet testing and reporting requirements.
- W-2 Prior to issuance of grading plans for tract improvements, the applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board. The Best Management Practices (BMPs) identified in the SWPPP shall be implemented during construction of tract and road improvements, and individual lot development.
- W-3 Prior to issuance of building permits for development on the proposed parcels, proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

5-34

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

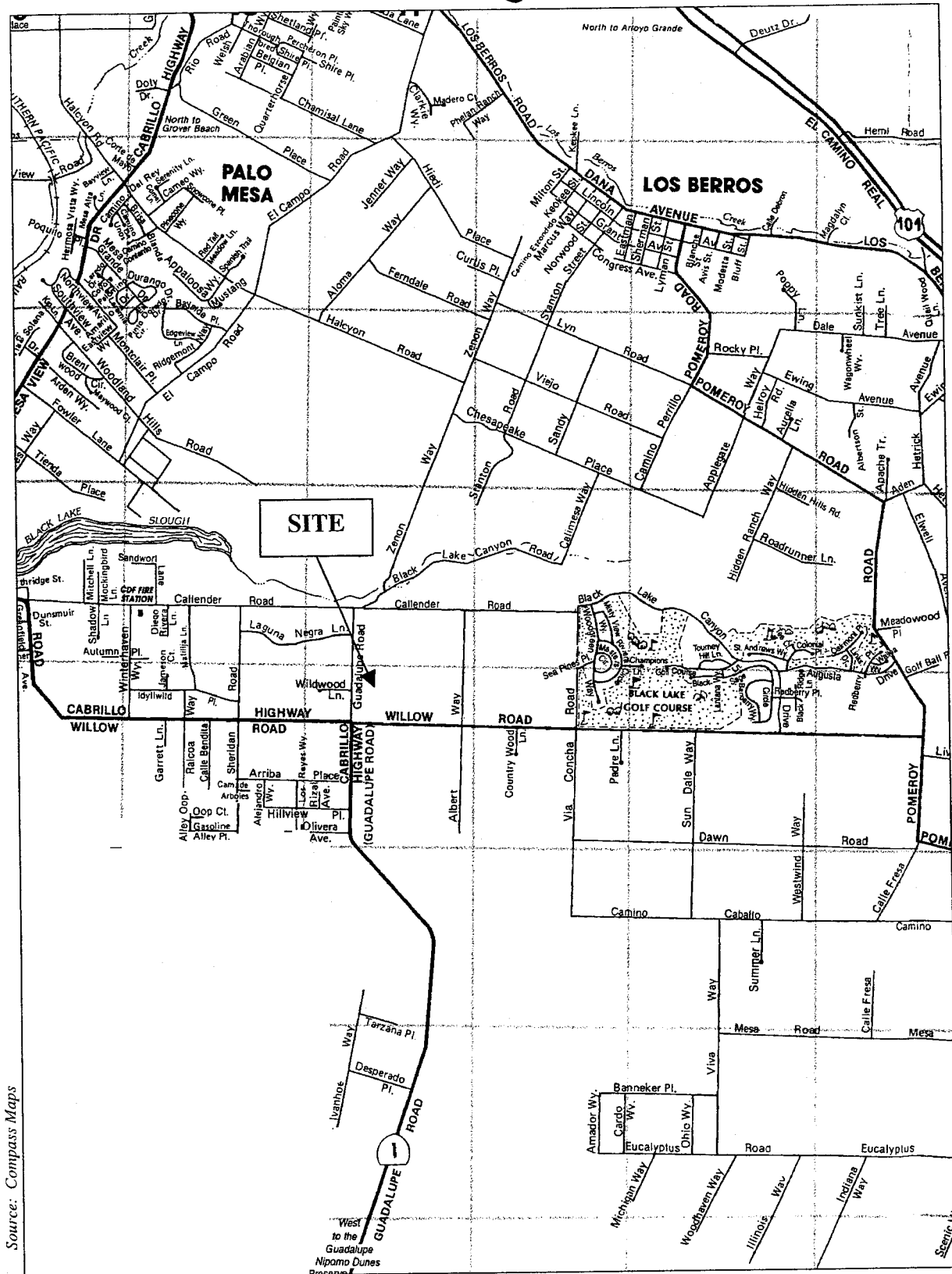
1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting which may affect surrounding areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is a 38.14-acre parcel located in the northeast corner of the Guadalupe Road and Willow Road intersection, as shown in Figures 1 through 3. Highway 1 curves northwest/southeast approximately 800 feet southwest of the parcel. The project parcel is characterized by nearly level to gently sloping topography supporting an abandoned lemon orchard, grasses, and forbs. A well site and associated structure is located on the parcel. A row of pine trees is located along the southern property boundary adjacent to Willow Road, and the canopies of the trees overlap, blocking views of the project site as seen from the westbound travel lane of Willow Road. Guadalupe Road is located along the western boundary of the parcel. Single-family residences and a row of eucalyptus trees are located on the west side of Guadalupe Road. Undeveloped eucalyptus groves and an outdoor nursery and greenhouse operation are located to the north, and an avocado orchard is located to the east. A line of eucalyptus trees is present along the southern Willow Road right-of-way, and along Guadalupe Road south of Willow Road.

Impact. The applicant is proposes to subdivide the parcel into seven parcels ranging in size from 5.05 to 5.98 acres. Each lot would potentially support one primary residence, on secondary residence, and accessory agricultural uses such as an equestrian stable and livestock. Implementation of the project would require the widening and improvements to Guadalupe Road and Willow Road. Additional associated improvements would include the construction of one one-site road and installation of utility lines. The applicant is not proposing street lighting, however, future residences would likely include the installation of exterior lighting.

The rows of eucalyptus trees along Willow Road and Guadalupe Road block a majority of views from both travel lanes on Highway 1 and Willow Road. Future residential development including residences and street lighting would be visible from the southbound travel lane of Highway 1 and

5-37



Source: Compass Maps



NORTH

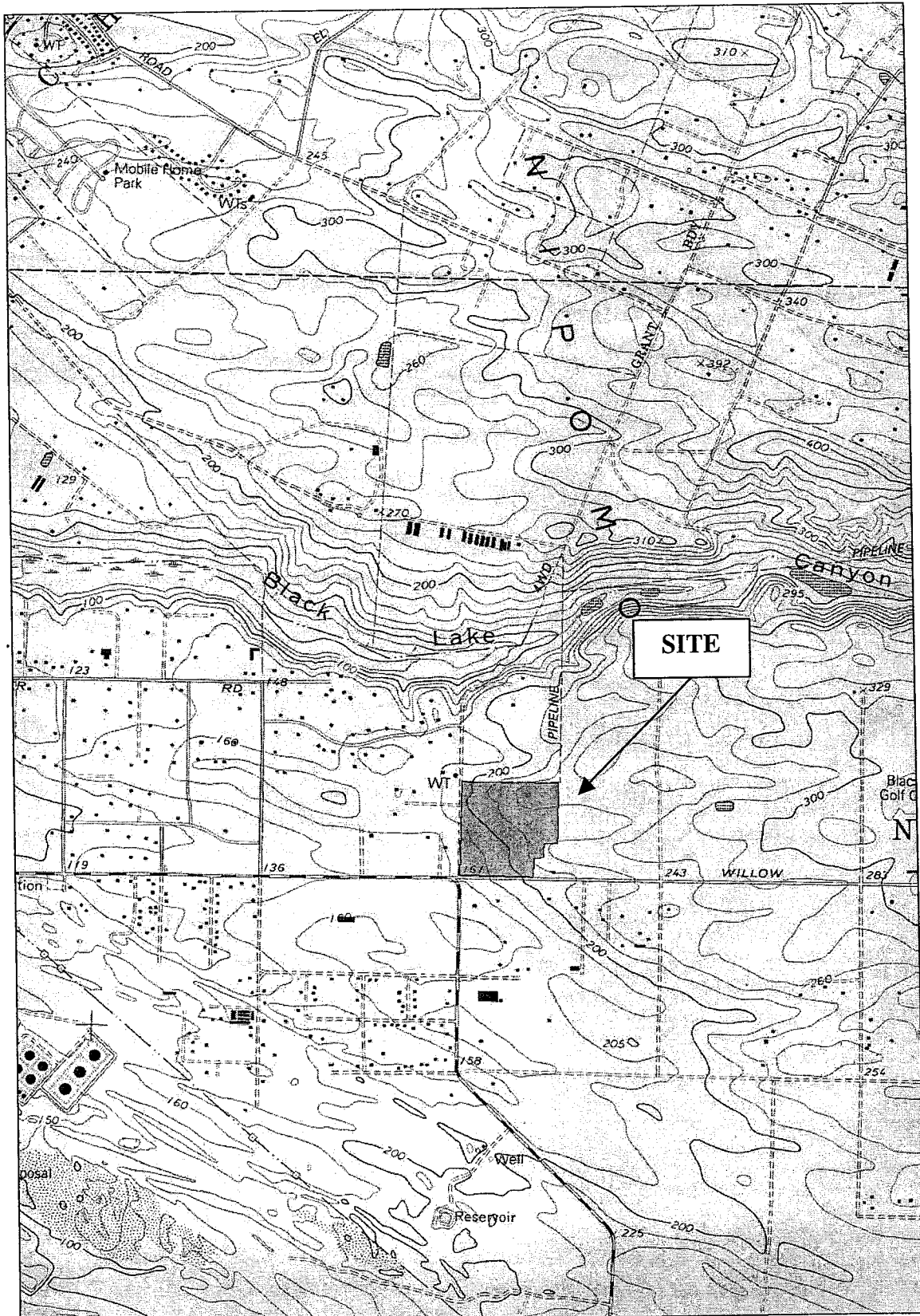
Not to Scale

Morro Group, Inc.

VICINITY MAP
FIGURE 1

5-38

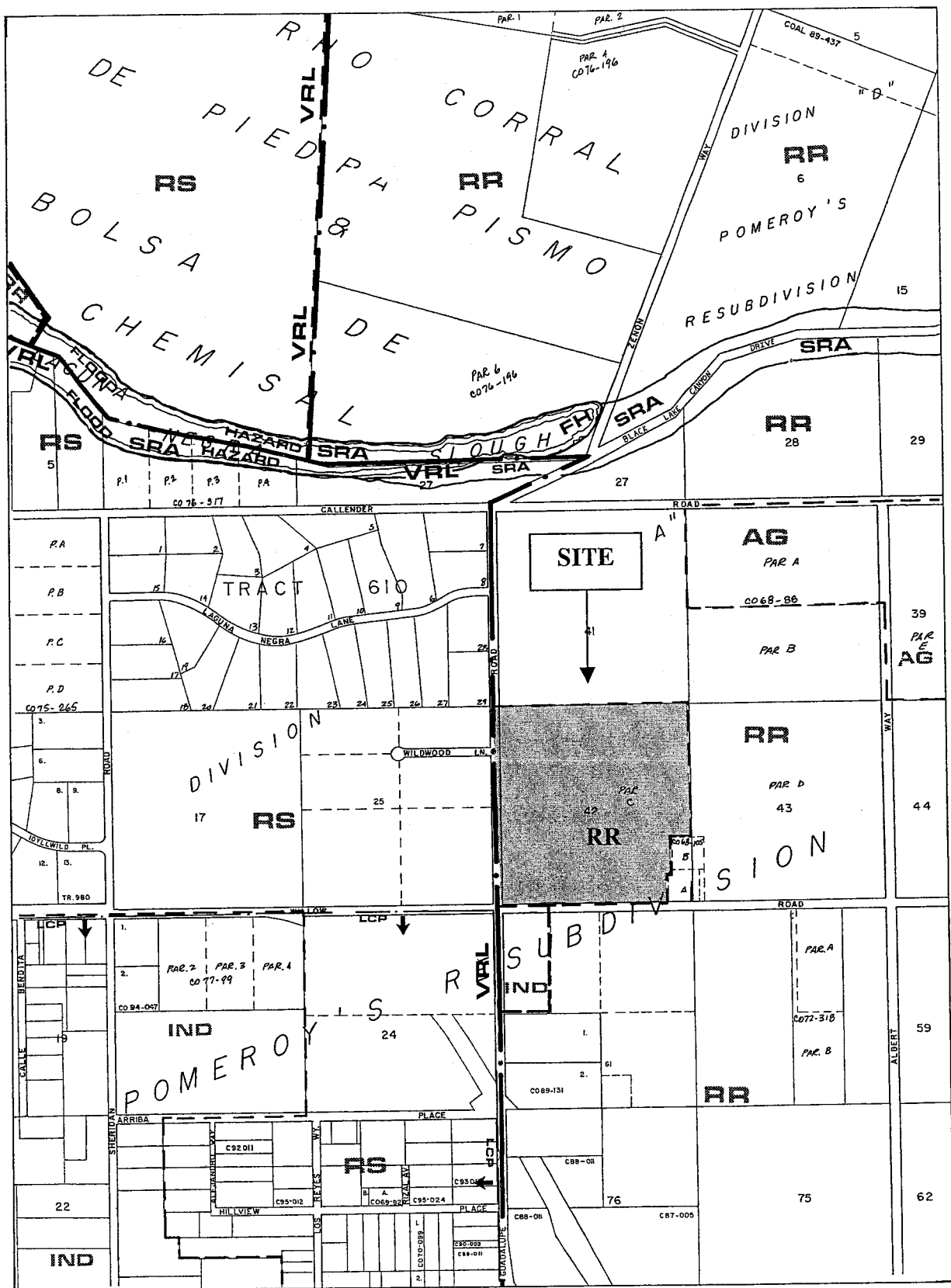
Source: USGS Quadrangle



NORTH
Not to Scale

USGS LOCATION MAP
FIGURE 2

5-39

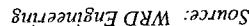


Source: County of San Luis Obispo



NORTH
Not to Scale

LAND USE CATEGORY MAP
FIGURE 3



VESTING TENTATIVE TRACT MAP
FIGURE 4

5-41

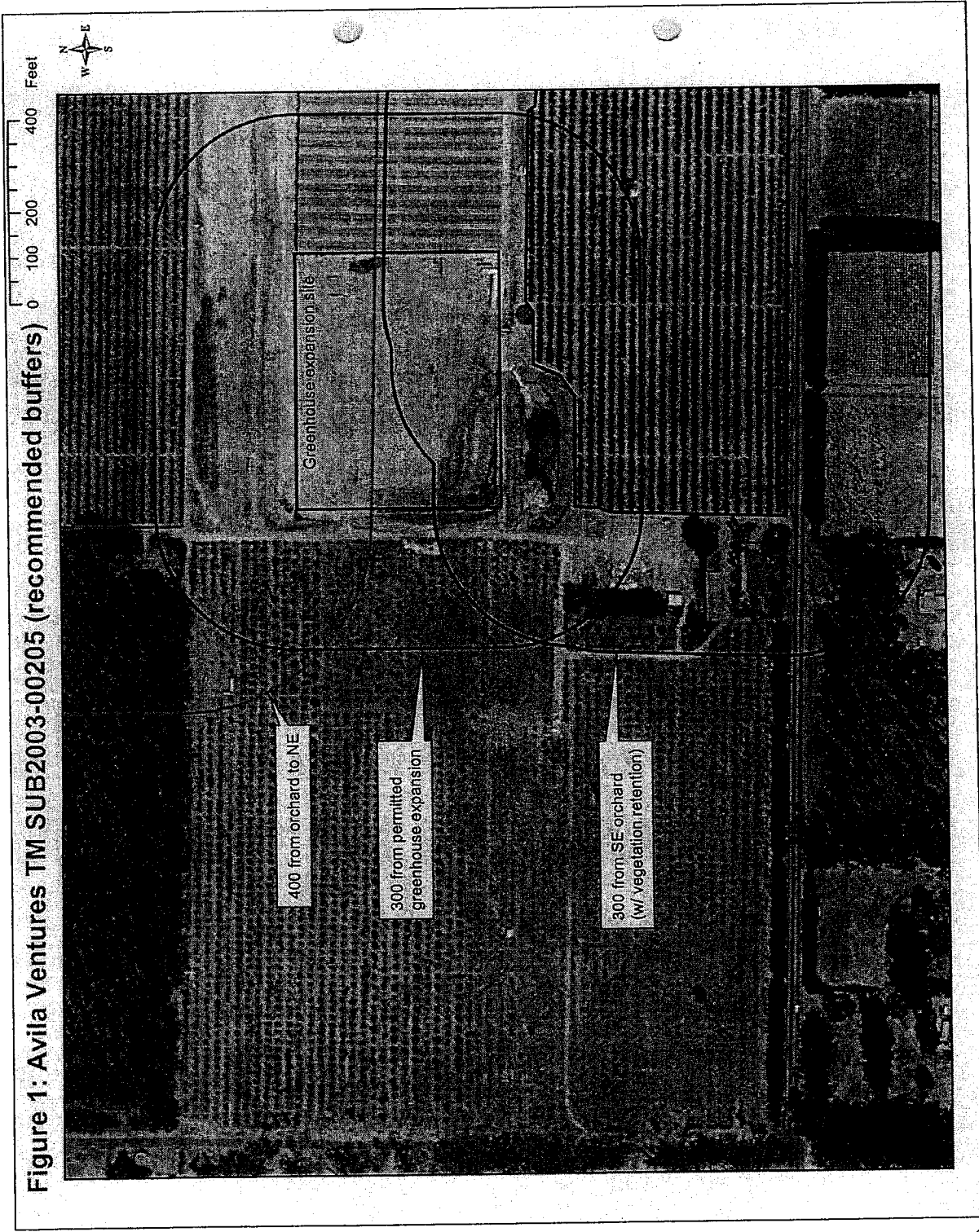
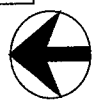


Figure 1: Avila Ventures TM SUB2003-00205 (recommended buffers)

Source: County of San Luis Obispo



NORTH
Not to Scale

5.42

**DEVELOPER'S STATEMENT FOR THE
AVILA VENTURES TRACT MAP; SUB2003-00205 TR 2636**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

AESTHETICS

- V-1 Prior to recordation of the final map,** the applicant shall show that the existing pine trees adjacent to Willow Road shall be retained.

Monitoring: The Planning and Building Department in consultation with the Public Works Department shall verify required elements on plans.

- V-2 Prior to issuance of grading and building permits for development on Lots 5, 6, and 7,** plans shall show that the existing pine trees adjacent to Willow Road shall be retained.

Monitoring: The Planning and Building Department shall verify required elements on plans.

- V-3 Prior to issuance of building permits for individual lot development,** the applicant shall submit an exterior lighting plan demonstrating how all exterior lighting would be covered and shielded to minimize off-site glare.

Monitoring: The Planning and Building Department shall verify required elements on plans.

AGRICULTURAL RESOURCES

- AG-1 Prior to recordation of the final map,** the applicant shall incorporate the agricultural buffers described below and shown on Exhibit C onto the tract map. Habitable structures shall not be permitted within the buffer areas.

- a. 400 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the northeast.
- b. 300 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the southeast while retaining existing vegetation on the southeast portion of the project site.
- c. 300 feet from the edge of the expanded greenhouse operation to the east (240 feet from the eastern property boundary).

5-43

Monitoring: The Planning and Building Department in consultation with the Public Works Department shall verify required elements on plans.

- AG-2 Prior to sale of each individual lot and/or residence,** the applicant shall provide each new landowner with a copy of the County Right-to-Farm Ordinance and notification regarding adjacent agricultural land uses. Notification shall include typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated orchards or commercial nurseries. This would include noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.

Monitoring: The Planning and Building Department shall verify compliance.

NOISE

- N-1 Prior to recordation of the final map,** the applicant shall incorporate a 150-foot noise buffer along the southern property boundary onto the tract map. Habitable structures and outdoor areas accessory to residential uses shall not be permitted within the noise buffer area.

Monitoring: The Department of Planning and Building, in consultation with the Department of Public Works shall review and approve all required plans.

RECREATION

- R-1 Prior to recordation of final map,** the applicant shall pay all applicable Quimby and Building Division Fees.

Monitoring: The Department of Planning and Building shall verify compliance.

WASTEWATER

- WW-1 Prior to recordation of the final map,** the applicant shall submit the results of soil borings and percolation testing at leach line location showing that there is adequate separation and percolation rates, or plans for an engineered wastewater system that shows how the basin plan criteria can be met.

Monitoring: The Planning and Building Department in consultation with the Environmental Health Division shall verify compliance.

- WW-2 Prior to recordation of the final map,** the applicant shall incorporate a 200-foot buffer surrounding the existing public well on the project site. The construction of individual septic systems, leach fields, and associated improvements shall not be permitted within this 200-foot buffer zone.

Monitoring: The Planning and Building Department in consultation with the Public Works Department and Environmental Health Division shall verify required elements on plans.

WATER

- W-1 Prior to recordation of the final map,** the applicant shall submit water well documentation for each proposed lot including a well completion report, well capacity (pump test) results, and full water quality testing not more than five years old. If a community water system is proposed instead of individual wells on each lot, the system shall be reviewed and approved by the Environmental Health Division, and shall meet testing and reporting requirements.

Monitoring: The Planning and Building Department, in consultation with the Environmental Health Division shall verify compliance.

- W-2 Prior to issuance of grading plans for tract improvements,** the applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board. The Best Management Practices (BMPs) identified in the SWPPP shall be implemented during construction of tract and road improvements, and individual lot development.

Monitoring: The Planning and Building Department, in consultation with the Public Works Department shall verify compliance.

- W-3 Prior to issuance of building permits for development on the proposed parcels,** proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

Monitoring: The Planning and Building Department shall verify compliance.

The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signature of Owner(s)

Date

Name (Print)